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THE LARYNGEAL MASK COMPANY LTD.  
and LMA NORTH AMERICA, INC.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

THE LARYNGEAL MASK COMPANY  
LTD. and LMA NORTH AMERICA, INC.,

Plaintiffs,  
v.

AMBU A/S, AMBU INC., and AMBU  
LTD.,

Defendants.

AMBU A/S, AMBU INC., and AMBU LTD.,

Counterclaimants,

v.

THE LARYNGEAL MASK COMPANY  
LTD. and LMA NORTH AMERICA, INC.,

Counter-Defendants.

) Civil Action No. 07 CV 1988 DMS (NLS)  
)  
) **PLAINTIFFS' APPLICATION FOR**  
) **LEAVE TO FILE DOCUMENTS**  
) **UNDER SEAL IN SUPPORT OF THEIR**  
) **DAUBERT MOTION TO EXCLUDE**  
) **TESTIMONY OF DEFENDANTS'**  
) **DESIGNATED EXPERT WITNESS**  
) **RYAN SULLIVAN, Ph.D.**  
)  
) **Date: September 25, 2009**  
) **Time: 1:30 p.m.**  
) **Courtroom 10, 2<sup>nd</sup> Floor**  
)  
) **Honorable Dana M. Sabraw**  
)  
)  
)

1 Pursuant to Civil L.R. 7.2 and 79.2(c), Plaintiffs and Counter-Defendants The Laryngeal  
2 Mask Company Ltd. and LMA North America, Inc. (hereinafter "LMA") hereby move the  
3 Court for an Order permitting it to file under seal certain documents in support of Plaintiffs'  
4 Daubert Motion To Exclude Testimony of Defendants' Designated Expert Witness Ryan  
5 Sullivan, Ph.D., which contain or refer to information that has been designated by one of the  
6 parties as confidential under the Protective Order entered by this Court on September 3, 2008.

7 Plaintiff requests that the following documents be filed under seal:

8 1) An unredacted version of a Confidential Memorandum In Support of Plaintiffs'  
9 Daubert Motion To Exclude Testimony of Defendants' Designated Expert Witness Ryan  
10 Sullivan, Ph.D., which includes information, testimony, and the contents of documents  
11 designated by the parties as confidential under the Protective Order, and other confidential  
12 matters.

13 2) Exhibits 1-18 and 20 to the Confidential Declaration of Joshua J. Stowell in  
14 Support of Plaintiffs' Daubert Motion To Exclude Testimony of Defendants' Designated Expert  
15 Witness Ryan Sullivan, Ph.D., which consist of testimony and documents produced and  
16 designated by the parties as confidential under the Protective Order, or which refer to and  
17 discuss such confidential documents and materials.

18 LMA will serve counsel for Defendants with all confidential documents and materials  
19 relied upon, as well as file under seal and submit a courtesy copy of the confidential documents  
20 to the Court.

21 Respectfully submitted,

22 KNOBBE, MARTENS, OLSON & BEAR, LLP

23 Dated August 14, 2009

24 By /s/Frederick S. Berretta

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